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E & R AMENDMENTS TO LB 1149

1                   1.     Strike the original sections and all amendments  
2 thereto and insert the following new sections:

3                   "Section 1.   Section 37-455, Revised Statutes Supplement,  
4 2003, is amended to read:

5                   37-455.   (1) The commission may issue a limited permit  
6 for deer, antelope, wild turkey, or elk to a person who is a  
7 qualifying landowner or leaseholder and his or her immediate family  
8 as described in this section. A permit shall be valid during the  
9 predetermined period established by the commission pursuant to  
10 sections 37-447 to 37-450, 37-452, 37-456, or 37-457. Upon receipt  
11 of an application in proper form as prescribed by the rules and  
12 regulations of the commission, the commission may issue (a) a  
13 limited deer, antelope, or wild turkey permit valid for hunting on  
14 all of the land which is owned or leased by the qualifying  
15 landowner or leaseholder if such lands are identified in the  
16 application or (b) a limited elk permit valid for hunting on the  
17 entire elk management unit of which the land of the qualifying  
18 landowner or leaseholder included in the application is a part.

19                  (2) (a) The commission shall adopt and promulgate rules  
20 and regulations prescribing procedures and forms and create  
21 requirements for documentation by an applicant or permittee to  
22 determine whether the applicant or permittee is a Nebraska resident  
23 and is a qualifying landowner or leaseholder of the described  
24 property or is a member of the immediate family of and residing in

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1 the same household as such qualifying landowner or leaseholder.  
2 Only a person who is a qualifying landowner or leaseholder and such  
3 person's immediate family residing in the same household as such  
4 qualifying landowner or leaseholder may apply for a limited permit.  
5 For purposes of this section, immediate family means and is limited  
6 to a husband and wife and their children.

7 (b) The conditions applicable to permits issued pursuant  
8 to sections 37-447 to 37-450, 37-452, 37-456, or 37-457, whichever  
9 is appropriate, shall apply to limited permits issued pursuant to  
10 this section, except that the commission may adopt and promulgate  
11 rules and regulations for species harvest allocation pertaining to  
12 the sex and age of the species harvested which are different for a  
13 limited permit than for other hunting permits. For purposes of  
14 this section, white-tailed deer and mule deer shall be treated as  
15 one species.

16 (3) (a) To qualify for a limited permit to hunt deer or  
17 antelope, the applicant shall be a Nebraska resident who owns or  
18 leases eighty acres or more of farm or ranch land for agricultural  
19 purposes or a member of such person's immediate family residing in  
20 the same household. The number of limited permits issued annually  
21 per species for each farm or ranch shall not exceed the total  
22 acreage of the farm or ranch divided by eighty. An applicant may  
23 apply for no more than one permit per species per year. The fee  
24 for a limited permit to hunt deer or antelope shall be one-half the  
25 fee for the regular permit for such species.

26 (b) A nonresident of Nebraska who owns three hundred  
27 twenty acres or more of farm or ranch land in the State of Nebraska

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1 for agricultural purposes or a member of such person's immediate  
2 family residing in the same household may apply for a limited deer  
3 permit. Only one limited deer permit per three hundred twenty  
4 acres may be issued annually under this subdivision. The fee for  
5 such a permit to hunt deer shall be one-half the fee for a  
6 nonresident permit to hunt deer.

7 (c) The commission may adopt and promulgate rules and  
8 regulations providing for the issuance of an additional limited  
9 deer permit to a qualified individual for the taking of a deer  
10 without antlers at a fee equal to or less than the fee for the  
11 original limited permit.

12 (4)(a) To qualify for a limited permit to hunt wild  
13 turkey, the applicant shall be a Nebraska resident who owns or  
14 leases eighty acres or more of farm or ranch land for agricultural  
15 purposes or a member of such person's immediate family residing in  
16 the same household. The number of limited permits issued annually  
17 per season for each farm or ranch shall not exceed the total  
18 acreage of the farm or ranch divided by eighty. An applicant may  
19 apply for no more than one limited permit per season. The fee for  
20 a limited permit to hunt wild turkey shall be one-half the fee for  
21 the regular permit to hunt wild turkey.

22 (b) A nonresident of Nebraska who owns three hundred  
23 twenty acres or more of farm or ranch land in the State of Nebraska  
24 for agricultural purposes or a member of such person's immediate  
25 family residing in the same household may apply for a limited  
26 permit to hunt wild turkey during the spring wild turkey season.  
27 Only one limited wild turkey permit per three hundred twenty acres

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1 may be issued annually under this subdivision. The fee for such a  
2 permit to hunt shall be one-half the fee for a nonresident permit  
3 to hunt wild turkey.

4 (5) To qualify for a limited permit to hunt elk, (a) the  
5 applicant shall be (i) a Nebraska resident who owns three hundred  
6 twenty acres or more of farm or ranch land for agricultural  
7 purposes, (ii) a Nebraska resident who leases three hundred twenty  
8 acres or more of farm or ranch land for agricultural purposes and  
9 resides on such property, or (iii) a member of such owner or  
10 lessee's immediate family residing in the same household and (b)  
11 the qualifying farm or ranch land of the applicant shall be within  
12 an area designated as an elk management zone by the commission in  
13 its rules and regulations. An applicant shall not be issued a  
14 limited elk permit more than once every three years, and the  
15 commission may give preference to a person who did not receive a  
16 limited elk permit or specified type of limited elk permit during  
17 the previous years. The fee for a limited permit to hunt elk shall  
18 be one-fifth the fee for the regular permit to hunt elk.

19 Sec. 2. Section 37-530, Reissue Revised Statutes of  
20 Nebraska, is amended to read:

21 37-530. Any ~~deer or antelope~~ wildlife species as  
22 designated by the commission accidentally killed by a motor vehicle  
23 on a public highway in this state, unless seized and confiscated  
24 pursuant to sections 37-619 to 37-621, shall, when salvageable, be  
25 disposed of as determined by the commission or its designee.

26 Sec. 3. Original section 37-530, Reissue Revised  
27 Statutes of Nebraska, and section 37-455, Revised Statutes

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1 Supplement, 2003, are repealed.

2           Sec. 4.     The following section is outright repealed:  
3 Section 37-528, Revised Statutes Supplement, 2002.".

4           2. On page 1, strike beginning with "section" in line 2  
5 through line 9 and insert "and section 37-455, Revised Statutes  
6 Supplement, 2003; to provide for nonresident permits to hunt wild  
7 turkey; to provide powers and duties for the Game and Parks  
8 Commission relating to wildlife killed on public highways; to  
9 eliminate a restriction on hunting certain wild animals; to  
10 eliminate a penalty; to repeal the original sections; and to  
11 outright repeal section 37-528, Revised Statutes Supplement,  
12 2002.".